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Paul S. Aronowitz
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Reply to:

David M. Bainbridge
dbainbridge@asilaw.org

March 28, 2008

VIA U.S. MAIL

Chris Reiner
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Re: Nella Oil, Olympian Oil and Yosemite Creek Superfund Site

Dear Mr. Reiner:

Our firm represents Nella Oil Company ("Nella"), one of the parties listed as a potential responsible party" on the EPA's "General Notice of Potential Liability" dated February 21, 2008, for the Yosemite Creek Superfund Site in San Francisco. Nella was included in the notice due to its purchase a few years back of real property and other assets of Olympian, a California joint venture ("Olympian"), which had participated in the clean up of the Bay Area Drum site back in 1987.

Pursuant to an indemnity clause in Nella's purchase agreement with Olympian, Nella has tendered this matter to Olympian and requested that Olympian defend Nella in the matter. A copy of our letter to Olympian requesting indemnity was sent to Olympian via Fed Ex on March 7, 2008. The EPA should have also received a copy of that letter. It was our understanding from Olympian that it accepted Nella's tender and that it would defend Nella in this matter.

Today we received via fax a letter from Olympian's attorney Daphne Lin of Trump, Alioto, Trump & Prescott that was addressed to you. That letter requests additional time for Olympian to respond to the EPA on this matter. It also is not one hundred percent clear that Olympian has agreed to indemnify and defend Nella in this matter. It is our understanding that Olympian intends to handle all issues related to the Yosemite Creek Superfund Site on Nella's behalf.

However, in the event that Olympian disputes that it has agreed to be liable on behalf of Nella in this matter, Nella feels that it should respond in some manner to the EPA's request that all parties respond to the EPA within thirty days of receiving the General Notice of Potential Liability. Therefore, if the EPA would like to contact Nella regarding this matter, please contact Amanda Massey of Nella Oil

Company, 2360 Lindbergh Street, Auburn, CA 95602; telephone (530) 885-0401. Also, feel free to contact our office with any questions or concerns.

Sincerely,

Aronowitz & Skidmore, Inc.

A handwritten signature in black ink, appearing to read "David M. Bainbridge", with a long horizontal flourish extending to the right.

David M. Bainbridge

DMB\

cc: Amanda Massey, Nella Oil Company